

Maryland Board of Pharmacy
Public Board Meeting

Agenda

Date: May 15, 2013

Name	Title	Present	Absent	Present	Absent
Board Committee					
Bradley-Baker, L.	Commissioner/Treasurer				
Chason, D.	Commissioner				
Finke, H.	Commissioner				
Gavgani, M. Z.	Commissioner				
Israbian-Jamgochian, L.	Commissioner				
Jones, David H.	Commissioner				
Matens, R.	Commissioner				
Smith, J.	Commissioner				
Souranis, M.	Commissioner/President				
St. Cyr, II, Z. W.	Commissioner				
Taylor, R.	Commissioner/Secretary				
Board Counsel					
Bethman, L.	Board Counsel				
Felter, B.	Staff Attorney				
Board Staff					
Naesea, L.	Executive Director				
Wu, Y.	Compliance Manager				
Waddell, L.	Licensing Manager				
Gaither, P.	Administration and Public Support Manager				
Jeffers, A.	Legislation/Regulations Manager				
Johnson, John	MIS Manager				

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)
I. Executive Committee Report(s)	A.) M. Souranis, Board President B.) R. Taylor, Secretary	<p><i>Members of the Board with a conflict of interest relating to any item on the agenda are advised to notify the Board at this time or when the issue is addressed in the agenda.</i></p> <ol style="list-style-type: none"> 1. Call to Order 2. Sign-in Introduction and of meeting attendees – <i>(Please indicate on sign-in sheet if you are requesting CE Units for attendance)</i> 3. Distribution of packet materials 4. Review and approve April 17, 2013 Minutes <u>Draft Public Minutes 4-17-2013ln</u> 	
II. A) Executive Director Report	L. Naesea, Executive Director	<ol style="list-style-type: none"> 1. Operations Updates 2. Meeting Updates 	
B. Administration and Public Support (APS)	B. P. Gaither, APS Manager	<ol style="list-style-type: none"> 1. Personnel Updates - Vacancies and Recruits 2. Contracts and Procurement 	

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C. MIS	J. Johnson, MIS Manager	1. MIS Update	
D. Licensing	L. Waddell, Licensing Manager	1. Licensing Unit Update 2. Monthly Statistics	
E. Compliance	Y. Wu, Compliance Manager	1. Monthly Statistics 2. PEAC Update	
F. Legislation & Regulations	A. Jeffers, Legislation & Regulations Manager	<p><u>LEGISLATION:</u></p> <p>Durable Medical Equipment Provider Task Force – Would the Board support legislation in the 2014 Legislative Session that removes devices from the Maryland Pharmacy Act?</p> <p><u>REGULATIONS:</u></p> <p>10.34.03 – Inpatient Institutional Pharmacies Proposal submitted March 19, 2013. With the Secretary of sign off.</p> <p>10.34.14 – Opening and Closing of Pharmacies and 10.34.30 – Change to Permit – Pharmacy or Distribution Permit Holder. Published April 19, 2013. 30 day comment period to follow.</p>	

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		<p>10.34.19 Sterile Pharmaceutical Compounding (Emergency) Proposal and Emergency Proposal submitted March 19, 2013. Linda Bethman holding while new waiver regulations are drafted.</p> <p>10.34.22 – Licensing of Wholesale Prescription Drug or Device Distributors (Emergency) Published April 19, 2013. 30 day comment period to follow. Emergency was withdrawn on April 25, 2013.</p> <p>AELR putting this proposal on hold so it will not become effective until SB 595 becomes effective on October 1, 2013.</p> <p>Board approval requested to resubmit with definitions that coincide with SB 595 with an October 1, 2013 effective date.</p> <p>10.34.23 Pharmaceutical Services to Patients in Comprehensive Care Facilities Anticipated to be published May 31, 2013. 30 day comment period to follow.</p> <p>10.34.33 Prescription Drug Repository Program Proposal to be submitted in the near future.</p> <p>10.34.36 – Pharmaceutical Services to Residents in Assisted Living Programs and Group Homes Notice of Final Action published May 3, 2015 with a June 15, 2013 Effective Date.</p> <p>10.13.01 Dispensing of Prescription Drugs by a Licensee Labs and other Boards submitted comments. Board approval requested for the Board’s response to those comments:</p> <p><u>Jenn Newman's email -comments on 10.13.01 042613</u></p>	

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		<p><u>Draft Board Response to Labs, Dentists, Physicians&Podiatrists</u></p> <p><u>Other Matters</u></p> <p>Drug Therapy Management</p> <p>Board approval requested for the following forms:</p> <p><u>Pharmacist's Information Form</u></p> <p><u>Application for Participation in Drug Therapy Management</u></p> <p>Board approval requested for Practice Committee to determine whether or not a pharmacist is qualified to participate in DTM. Any denials will be brought before the full Board.</p>	
<p>III. Committee Reports</p> <p>A. Practice Committee</p>	<p>H. Finke, Chair,</p>	<p>Inquiries:</p> <p>1) Jackson Boyd, Mapagroup Please watch the video at the following link: http://fagorhealthcare.com/en</p> <p><u>Jackson Boyd</u></p> <p><u>Draft Bd Response - Round multidose packaging</u></p> <p>2) Martin R. Dix, Akerman law firm</p> <p><u>Vet - pharm pays percentage of reimbursement</u></p> <p><u>Draft Bd Response - Veterinarian percentage</u></p> <p>3) Disciplinary Committee recommended that it is acceptable to <u>not</u> block out the name and rx number from a prescription bottle returned to stock.</p>	

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		<p>Practice Committee recommended that it is a good practice to block out names to comply with HIPAA. When dispensed – patient identification is required to be removed from the existing label. This may be done by putting the medications into a bottle with a new label.</p> <p>Board approval requested.</p> <p>4) Hot and cold running water requirement (COMAR 10.34.14.02) – Practice Committee recommends not changing the regulations to allow for grandfathering of pre-existing cold water pharmacies.</p> <p>Board approval requested.</p>	
B. Licensing Committee	D. Chason Chair,	<p>1. Review of Pharmacist:</p> <ul style="list-style-type: none"> • Maame Sampson - Applicant is requesting a waiver of \$300 reactivation fee as she states that she submitted the fee January 2012 and nothing was done with her application. She was waiting for approval to take the test from both NABP and MD and due to the lack of communication between the two agencies, her application expired. Licensing recommendations is to reactive application and give applicant until 04/30/2014 to complete the process and become license as a pharmacist. <p>2. New Business:</p> <ul style="list-style-type: none"> • IV Solutions – Would like a waiver of the requirement to have hours of operation posted. Licensing recommendation is to deny. Concerns were made about the hours of operation being 24 hours. • Scott Kijowski – Would like to know if he still needs a MD licensed pharmacist on staff if he only services Scotts Miracle-Gro employees and their dependents, only people on the medical plan. Licensing recommendation is to deny. Must have license MD Pharmacist on staff at all times. • Cahill and Associates – Representative for Terumo 	

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		<p>Medical Corporation states that someone from the Board told them that all Distributor permits expired 12/31/2012. They sent in four applications in January so that they would have complete two years. Would like the Board to reconsider granting an extension for permit to expire 2015 for new applicants such as Terumo. Licensing recommendation is to deny. Due to statue change, all Distributors must renew by 05/31/2013.</p> <ul style="list-style-type: none"> • Cardinal Health – Would like waiver of past experience needed for an eligible designated representative. Licensing recommendation is to deny. Must meet the requirements of a Designated Representative. • Wholesale Distributor Extension – Review extension letter for out-of-state distributors pending FBI and State Background check results. Licensing recommendation is to approve extension. • Online Renewal Survey – As directed by Sec. Sharfstein, we will be using the same customer service post-on-line renewal evaluation survey that most other Boards have already implemented. FYI to the Board. 	
C. Public Relations Committee	L. Bradley-Baker, Chair	Public Relations Committee Update	
D. Disciplinary	L. Israbian-Jamgochian Chair	Disciplinary Committee Update.	
E. Emergency Preparedness Task Force	R. Matens, Chair	Emergency Preparedness Task Force Update.	

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IV. Other Business & FYI	M. Souranis, Board President	None	
V. Adjournment	M. Souranis, Board President	<p>The Public Meeting was adjourned at _____.</p> <p>At _____ P.M. M. Souranis convened a Closed Public Session to conduct a medical review of technician applications.</p> <p>C. The Closed Public Session was adjourned at _____ P.M. Immediately thereafter, M. Souranis convened an Administrative Session for purposes of discussing confidential disciplinary cases. With the exception of cases requiring recusals, the Board members present at the Public Meeting continued to participate in the Administrative Session.</p>	